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AUG 16 2005

PATENT  
ATTORNEY DOCKET NO.: PRB-1  
CUSTOMER NO: 36038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: R. Porubcan )  
Serial No. 10/743,402 ) (Group Art Unit: 1645  
Confirmation No. 7174 )  
Filed: 12/22/2003 ) Examiner: Lakia J. Tongue

For: FORMULATIONS TO INCREASE  
*in vivo* SURVIVAL OF PROBIOTIC  
BACTERIA AND EXTEND THEIR  
SHELF-LIFE

) I hereby certify that, on the date indicated below, this  
) correspondence was sent by fax to the Commissioner for  
) Patents, at (703) 872-9306.

) By: 

) Date: 8/16/05

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**Response and Amendment**

Dear Sir:

In response to the Office Action of 6/1/2005, please amend the specification as below, and amend the claims as in the attached claim listing and reconsider the rejections in view of the following remarks.

In the Specification

Please insert the following paragraph (with the correction) as a substitute for the last paragraph on page 10 (through to the first full paragraph on page 11):

In addition to probiotics, sodium alginate and inert carriers, grape skin extract powder can be added to the formulations. Grape skin extract contains bioflavonoid antioxidants (anthocyanins) which protect probiotic bacteria from oxidation and further improve their shelf-life. Formulations used in the examples of the present invention contain 5% grape skin extract (AC 12z WSP Grape Skin Extract Powder, Chr. Hansen, Inc. West Allis, WI). During the research that lead to the present invention it was discovered that grape skin extract exhibits another effect that has commercial value. Grape ~~skin~~ skin extract serves as a unique, natural, pH indicator when used at 1-10% of the formulation weight and produces